

REMARKS

By this amendment, applicants have amended the specification to recite the continuing data for the subject application. By the present amendment to the specification, no new matter has been added to the application. Applicants respectively request that this Preliminary Amendment be entered.

INFORMATION DISCLOSURE STATEMENT

In order to ensure compliance with applicants' duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), applicants request that the following references be considered and made of record in the above-identified application:

1. U.S. Patent No. 6,503,928, issued January 7, 2003;
2. PCT International Publication No. WO 03/004027, published January 16, 2003;
3. PCT International Publication No. WO 02/094799, published November 28, 2002;
4. PCT International Publication No. WO 02/006245, published January 24, 2002;
5. PCT International Publication No. WO 97/028140, published August 7, 1997;
and
6. TAKEKAWA, S., et al., "T-226296: a novel, orally active and selective melanin-concentrating hormone receptor antagonist", European Journal of Pharmacology, March 2002, 438, pp. 129-135.

C.F.R. §1.98(a)(2)(i) has been amended to eliminate the requirement in paragraph (a)(2)(i) for a copy of each U.S. patent or U.S. patent application publication listed in an IDS in a patent application regardless of the filing date of the application. Accordingly, a copy of document number 1 is not enclosed herewith. Copies of document numbers 2-6 are enclosed.

It is requested that the Examiner consider the above information and that a copy of each of the enclosed Forms be initialed and returned indicating that such information has been considered. Applicants respectfully request that the Examiner make the cited references of record in the subject application.

If a telephone interview would be of assistance in advancing the prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

Applicants are filing this Information Disclosure Statement under 37 C.F.R. 1.97(b)(3), before the mailing of a first Office Action on the merits. Accordingly, no fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, in the event that a first Office Action has been mailed but has not yet been received by applicant or connected with the application filed in the undersigned attorney's office, applicants hereby request, pursuant to 37 C.F.R. §1.98(c)(2), consideration of this Information Disclosure Statement, and authorization is hereby given to charge to Deposit Account No. 503201, ONE HUNDRED AND EIGHTY DOLLARS (\$180.00), which is the amount of the fee under 37 C.F.R. 1.17(p), for filing an Information Disclosure Statement pursuant to 37 C.F.R. 1.97(c)(2).

Respectfully submitted,



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